

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

**IN RE: DIET DRUGS  
(PHENTERMINE/FENFLURAMINE/  
DEXFENFLURAMINE)  
PRODUCTS LIABILITY LITIGATION**

---

)  
)  
)  
)  
)  
)  
)  
**MDL DOCKET NO. 1203**

**MARILYN MELDER, ET AL.**

**Plaintiff**

**v.**

)  
)  
)  
)  
)  
)  
)  
**CIVIL ACTION NO. 02-20142**

**AMERICAN HOME PRODUCTS  
CORPORATION, ET AL.**

**Defendants**

---


)  
)  
)  
)  
)  
)  
)  
**HONORABLE HARVEY BARTLE, III**

**STIPULATION AND CONSENT OF DISMISSAL PTO NO. \_\_\_\_\_**

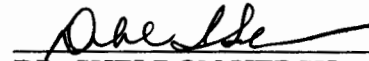
**IT IS HEREBY STIPULATED** by and between Plaintiff Marilyn Melder, ("Plaintiff"), and Defendant, Sheldon Hersh, M.D., ("Defendant"), through their respective counsel, that the Petition for Damages filed by Plaintiff against Defendant in the above-captioned matter is dismissed with prejudice as to this Defendant, Sheldon Hersh, M.D. only and without costs to either party. This stipulation may be signed in counterparts and, if so signed, shall have the same force and effect as if all signatories had executed one copy.

O'QUINN, LAMINACK & PIRTLE

BATIZA, GODOFSKY, SCHROEDER  
& FORD

 RMU 2/6/05

REBECCA M. URRUTIA – Bar No. 28340  
2752 Canal Street  
New Orleans, LA 70119  
Telephone: (504) 822-8400



DR. SHELDON HERSH  
DEBORA SCHROEDER-Bar No. 1589  
One Galleria Boulevard, Suite 700  
Metairie, LA 70001  
Telephone: (504) 841-5251  
*Attorneys for Defendant,*  
*Sheldon Hersh, M.D.*

HARVEY, JACOBSON & GLAGO  
ROBERT G. HARVEY, SR. -Bar. No. 18615  
2609 Canal Street, Fifth Floor  
New Orleans, LA 70119  
Telephone: (504) 822-2136

JACOBS & SARRAT  
DARLEEN JACOBS, LA#7208  
823 St. Louis Street  
New Orleans, Louisiana 70112  
Telephone: (504) 522-0155

*Attorneys for Plaintiff*

Dated: 5/5/05

Dated: 5/5/05

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
**JUDGE**

Mr. John J. Disimone, III  
Plaintiffs' Management Committee  
Diet Drugs Product Liability Litigation  
325 Chestnut St., Suite 200  
Philadelphia, Pennsylvania 19106

Deborah Van Meter  
McGLINCHEY STAFFORD, A.P.L.C.  
643 Magazine St.  
New Orleans, Louisiana 70130-3477

Thomas Stoeber, Jr.  
Michael Rollins  
Suite 4500, 370 Seventeenth St.  
Denver, Colorado 80202-1370

Terry Gay  
Christovich & Kearney  
601 Poysras Street  
New Orleans, LA 70130

Marie Rudd Posey  
Steen & Williamson, LLC  
1100 Poydras Street Suite 1250  
New Orleans, LA 70163

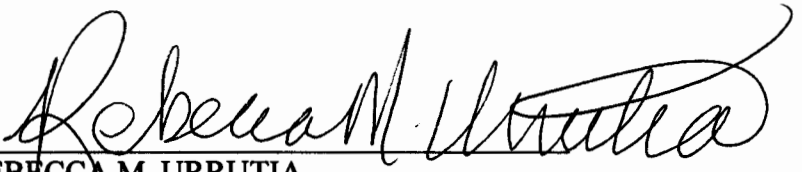
Stanton Shuler, Jr.  
Leake & Anderson  
1100 Poydras Street Suite 1700  
New Orleans, LA 70163

Doug Moore  
Darleen Peters  
Irwin & Fritchie  
400 Poydras Street Suite 2700  
New Orleans, LA 70130

Jason Cashio  
Kean, Miller, Hawthorne, D'Armond, McCowan & Jarman, L.L.P.  
Twenty-Second Floor  
One American Place  
Baton Rouge, Louisiana 70821

W. Luther Wilson  
Brooks & Phillips, L.L.P.  
451 Florida Street #8  
Baton Rouge, LA 70801

Deborah Schroeder  
Batiza, Godofsky, Penzato, Shroeder & Ford  
One Galleria Boulevard, Suite 700  
Metairie, Louisiana 70001



REBECCA M. URRUTIA